REMARKS

In the Office Action mailed on March 31, 2010, the claims have been restricted under 35 U.S.C. §§ 121 and 372, and PCT Rule 13.1 as follows:

Group I: claim 20-34 directed to a method of treating or preventing estrogen suppressed tumors in a mammal comprising administering estrogen components represented by the formula recited in claim 1.

Group II: claims 35-40 directed to a pharmaceutical composition or kit comprising an estrogenic component described in claim 20, an anti-tumor agent, and a pharmaceutically acceptable excipient.

According to the Examiner, Pike teaches using estetrol. However, as stated in the Declaration of Carolyn Westhoff, MD, one would not have expected estetrol to be pharmacologically useful due to the anticipated low elimination half-life and the known low binding affinity. Furthermore, it was unexpected to discover that estetrol has a surprisingly long elimination half-life. Both Groups I and II encompass estetrol, which is the special technical feature that defines the invention over the prior art because one would not have expected estetrol to be pharmacologically useful, and one would not have expected it to have such a long elimination half-life.

In view of this shared special technical feature, Applicants respectfully request that the restriction be reconsidered and withdrawn.

Respectfully submitted,

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